

- How  
incl.*
60. (new) The method of claim 35 wherein converting the data payload to the second protocol comprises translating the data payload from the first protocol to the second protocol.
61. (new) The method of claim 35 wherein converting the data payload to the second protocol comprises encapsulating the data payload formatted according to the first protocol in a format according to the second protocol.
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REMARKS:

Status of Application

Claims 1-35 were pending in the application prior to entry of the foregoing amendment. Claims 1-35 were rejected by the Examiner. The Applicant has amended claims 9, 27, 29 and 30-34, canceled claims 1-8, 10-26 and 28, and added new claims 36-60. Claims 9, 27, 29 and 30-61 therefore remain pending in the application.

Oath/Declaration

The Examiner states that the declaration is defective because it does not identify the mailing or post office address of each inventor. The Examiner cites 37 CFR 1.63(c) and 37 CFR 1.76. The Applicant respectfully points out that 37 CFR 1.63(c) requires that the declaration include the inventor's mailing address (and residence address if different) "[u]nless such information is supplied in an application data sheet in accordance with 37 CFR 1.76". Because the inventor's mailing/residence address was specified on the application data sheet originally filed with the application (copy enclosed), the Applicant submits that the declaration was not defective, and that no new declaration is necessary.

Drawings

The Examiner objects to the drawings under 37 CFR 1.83(a), noting that the drawings must show every feature of the invention specified in the claims. The Examiner states that the processor of claims 1 and 14 must be shown, or the feature canceled from the claims. The Applicant respectfully points out that 37 CFR 1.83(a) states: "However, conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a

graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box)." The Applicant submits that analyzer 20, which is described in the specification as a data processor (see paragraphs 32 and 33), meets the requirements of 37 CFR 1.83(a). The Applicant further notes that 37 CFR 1.81 only requires the submission of a drawing "where necessary for the understanding of the subject matter sought to be patented". The Applicant believes no drawing is necessary in this case for the understanding of the subject matter sought to be patented. Accordingly, the Applicant believes the Examiner's objections to the drawings have been overcome.

#### Claim Objections

The Examiner objects to claims 1, 2, 5, 6, 8-14, 31 and 33 because all instances of "configured to" in each claim should be deleted to make the claims positive. The Examiner asserts that any such language is not considered positive recitation per M.P.E.P. 2106.

The Applicant respectfully disagrees that the use of "configured to" in the claims amounts to a non-positive recitation of the limitations of the claims. The Applicant further disagrees that such phrases are not considered positive recitation per M.P.E.P. 2106. M.P.E.P. 2106 actually states that "Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation." The examples in the M.P.E.P. are provided to exemplify "language that may raise a question as to the limiting effect of the language in a claim" (emphasis added). M.P.E.P. 2106 does not state that any use of these phrases prevents the corresponding limitation from having the requisite limiting effect, but instead states that, "[a]s a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope." The Applicant respectfully submits that the language of the claims unambiguously recites positive claim limitations. Accordingly, the Applicant believes this objection has been overcome.

The Examiner objects to claim 32, stating that, if the first and second protocols are different, then it is not possible for data formatted according to the second protocol to match data formatted according to the first protocol. The Examiner asserts the same objection to claim 34, with respect to the second and third protocols. The Applicant respectfully submits that the "data," as used here, is the same. The formatting of the data is different. Thus, it is believed

that it is possible for data formatted according to the second (third) protocol to match data formatted according to the first (second) protocol. The Applicant has nevertheless amended the claims to refer to a data payload. This amendment is not believed to narrow the scope of the claims. The Applicant therefore believes this objection has been overcome.

The Examiner's remaining objections are believed to have been overcome by the cancellation of claims 1, 2, 5, 6, 8 and 10-14.

#### Rejections under Section 112

The Examiner rejects claims 8, 9, 12, 13 and 15-35 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant claims as the invention.

In regard to claims 8, 9, 32 and 34, the Examiner states that "match" is unclear. The Applicant has amended the claims to replace "match" with "identical to". This amendment is not believed to narrow the scope of the claims.

In regard to claim 27, the Examiner states that it is unclear which data is referred to by "the data". The Applicant has amended the claim to refer to the data payload, similar to the amendment of claims 32 and 34. The

The Examiner's remaining rejections under 35 U.S.C. §112 are believed to have been overcome by the cancellation of claims 8, 12, 13, 15-26 and 28.

#### Rejections under Sections 102, 103

The Examiner rejects various claims under 35 U.S.C. §§102, 103. The Applicant respectfully traverses these rejections. The Applicant nevertheless cancels the rejected claims without prejudice or disclaimer in order to obtain rapid allowance of the remaining claims. The Applicant reserves the right to pursue the canceled claims in a continuation application.

#### Allowable Subject Matter

The Examiner states that claims 9, 27 and 29-35 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112 set forth in the Office Action and to include all of the

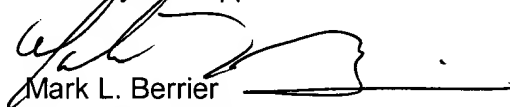
limitations of the base and intervening claims. The Applicant has amended these claims accordingly and therefore believes the claims are allowable. Further, the Applicant points out that all of the new claims added to the application depend from these allowable claims and are therefore allowable themselves.

Conclusion

For at least the foregoing reasons, the Applicant submits that the Examiner's rejections and objections to the pending claims have been overcome and that the claims are allowable. The Applicant therefore respectfully requests that the Examiner reconsider the rejections and objections and allow the claims. If any extensions of time are necessary to prevent the above referenced application from becoming abandoned, the Applicant hereby petitions for such extensions. If any fees are inadvertently omitted, or if any additional fees are required, or if any amounts have been overpaid, please appropriately charge or credit those fees to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich, LLP.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**  
**PURSUANT TO 37 CFR 1.111**

**APPENDIX 1**

**CLAIMS:**

1. (canceled)
2. (canceled)
3. (canceled)
4. (canceled)
5. (canceled)
6. (canceled)
7. (canceled)
8. (canceled)
9. (amended) [The system of claim 1 wherein the data processor is configured] **A system for analyzing the transfer of data across communication channels utilizing different protocols comprising:**  
  
**a data processor; and**  
  
**a plurality of communication channel interfaces coupled to the data processor;**  
  
**wherein the data processor is configured**

to receive data formatted according to a first protocol via a first one of the interfaces,

to identify the data formatted according to the first protocol,

to receive data formatted according to a second protocol via a second one of the interfaces,

to identify the data formatted according to the second protocol

to verify that the data formatted according to the second protocol corresponds to the data formatted according to the first protocol, and

to verify that the data formatted according to the second protocol corresponds to the data formatted according to the first protocol by comparing a data payload of the data formatted according to the second protocol and a data payload of the data formatted according to the first protocol to determine whether the data payload of the data formatted according to the second protocol is identical to the data payload of the data formatted according to the first protocol.

10. (canceled)

11. (canceled)

12. (canceled)

13. (canceled)

14. (canceled)

15. (canceled)

16. (canceled)

17. (canceled)

18. (canceled)

19. (canceled)

20. (canceled)

21. (canceled)

22. (canceled)

23. (canceled)

24. (canceled)

25. (canceled)

26. (canceled)

27. (amended) [The method of claim 26 further comprising] A method comprising:

identifying a data payload of data formatted according to a first protocol;

converting the data payload to a second protocol;

identifying a data payload of the data formatted according to the second protocol;

verifying the integrity of the data payload of the data formatted according to the second protocol;

converting the data payload to a third protocol;

identifying a data payload of the data formatted according to the third protocol; and

verifying the integrity of the data payload of the data formatted according to the third protocol.

28. (canceled)

29. (amended) [The method of claim 26] A method comprising:

identifying a data payload of data formatted according to a first protocol;

converting the data payload to a second protocol;

identifying a data payload of the data formatted according to the second protocol; and

verifying the integrity of the data payload of the data formatted according to the second protocol;

wherein converting the data payload to the second protocol comprises translating the data payload from the first protocol to the second protocol.

30. (amended) [The method of claim 26] A method comprising:

identifying a data payload of data formatted according to a first protocol;

converting the data payload to a second protocol;

identifying a data payload of the data formatted according to the second protocol; and



verifying the integrity of the data payload of the data formatted according to the second protocol;

wherein converting the data payload to the second protocol comprises encapsulating the data payload formatted according to the first protocol in a format according to the second protocol.

31. (amended) [The method of claim 26 further comprising] A method comprising:

accepting data formatted according to [the] a first protocol,

identifying a data payload of data formatted according to the first protocol,

[and] forwarding the data formatted according to the first protocol to a first device which is configured to convert the data payload of the data formatted according to the first protocol from the first protocol to the second protocol,

converting the data payload of the data formatted according to the first protocol to a second protocol,

identifying the data payload of the data formatted according to the second protocol, and

verifying the integrity of the data formatted according to the second protocol.

32. (amended) The method of claim 31 further comprising accepting data formatted according to the second protocol from the first device, identifying the data payload of the data formatted according to the second protocol, and verifying that the data payload of the data formatted according to the second protocol [matches] is identical to the data payload of the data formatted according to the first protocol.

33. (amended) The method of claim 32 further comprising forwarding the data formatted according to the second protocol to a second device which is configured to convert the data

payload of the data formatted according to the second protocol from a second protocol to a third protocol.

34. (amended) The method of claim 33 further comprising accepting data formatted according to the third protocol from the second device, identifying the data payload of the data formatted according to the third protocol, and verifying that the data payload of the data formatted according to the third protocol **[matches]** is identical to the data payload of the data formatted according to the second protocol.

35. The method of claim 34 further comprising forwarding the data formatted according to the third protocol to a third device.

36. (new) The system of claim 9 wherein the data processor is further configured to present to a user an indication of whether the data formatted according to the second protocol corresponds to the data formatted according to the first protocol.

37. (new) The system of claim 9 wherein the data processor comprises a personal computer (PC).

38. (new) The system of claim 37 wherein the PC comprises a peripheral component interconnect (PCI) bus, and wherein the plurality of interfaces comprise a plurality of interface cards which are coupled to the PCI bus.

39. (new) The system of claim 9 wherein the data processor is further configured to receive data formatted according to a third protocol via one of the interfaces, to identify the data formatted according to the third protocol, and to verify that the data formatted according to the third protocol corresponds to the data formatted according to the first or second protocols.

40. (new) The system of claim 9 wherein the data processor is configured to emulate a response to the data formatted according to the second protocol.

41. (new) The system of claim 40 wherein the response comprises an indication of an error.
42. (new) The system of claim 9 wherein the data processor is configured to verify that the data formatted according to the second protocol corresponds to the data formatted according to the first protocol by comparing a data payload of the data formatted according to the second protocol and a data payload of the data formatted according to the first protocol to determine whether the data payloads are identical.
43. (new) The system of claim 9 wherein the data processor is configured to decode at least a portion of the data formatted according to the first or second protocols, to interpret the portion of the data, and to display the interpretation to a user.
44. (new) The system of claim 9 wherein the data processor is configured to verify that the data formatted according to the second protocol corresponds to the data formatted according to the first protocol automatically.
45. (new) The system of claim 9 further comprising a data storage unit, wherein the system is configured to store one or more of the analyzed data packets.
46. (new) The system of claim 45 wherein the data processor is configured to perform one or more analyses on the stored data packets.
47. (new) The method of claim 31 further comprising: converting the data payload to a third protocol; identifying a data payload of the data formatted according to the third protocol; and verifying the integrity of the data payload of the data formatted according to the third protocol.
48. (new) The method of claim 31 wherein converting the data payload to the second protocol comprises translating the data payload from the first protocol to the second protocol.

49. (new) The method of claim 31 wherein converting the data payload to the second protocol comprises encapsulating the data payload formatted according to the first protocol in a format according to the second protocol.

50. (new) The method of claim 32 further comprising: converting the data payload to a third protocol; identifying a data payload of the data formatted according to the third protocol; and verifying the integrity of the data payload of the data formatted according to the third protocol.

51. (new) The method of claim 32 wherein converting the data payload to the second protocol comprises translating the data payload from the first protocol to the second protocol.

52. (new) The method of claim 32 wherein converting the data payload to the second protocol comprises encapsulating the data payload formatted according to the first protocol in a format according to the second protocol.

53. (new) The method of claim 33 further comprising: converting the data payload to a third protocol; identifying a data payload of the data formatted according to the third protocol; and verifying the integrity of the data payload of the data formatted according to the third protocol.

54. (new) The method of claim 33 wherein converting the data payload to the second protocol comprises translating the data payload from the first protocol to the second protocol.

55. (new) The method of claim 33 wherein converting the data payload to the second protocol comprises encapsulating the data payload formatted according to the first protocol in a format according to the second protocol.

56. (new) The method of claim 34 further comprising: converting the data payload to a third protocol; identifying a data payload of the data formatted according to the third protocol; and verifying the integrity of the data payload of the data formatted according to the third protocol.

57. (new) The method of claim 34 wherein converting the data payload to the second protocol comprises translating the data payload from the first protocol to the second protocol.

58. (new) The method of claim 34 wherein converting the data payload to the second protocol comprises encapsulating the data payload formatted according to the first protocol in a format according to the second protocol.

59. (new) The method of claim 35 further comprising: converting the data payload to a third protocol; identifying a data payload of the data formatted according to the third protocol; and verifying the integrity of the data payload of the data formatted according to the third protocol.

60. (new) The method of claim 35 wherein converting the data payload to the second protocol comprises translating the data payload from the first protocol to the second protocol.

61. (new) The method of claim 35 wherein converting the data payload to the second protocol comprises encapsulating the data payload formatted according to the first protocol in a format according to the second protocol.